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VHA COMPLIANCE AND BUSINESS INTEGRITY (CBI) HELPLINE

1. PURPOSE: This Veterans Health Administration (VHA) Directive establishes policies and procedures for the use of the Compliance and Business Integrity (CBI) Helpline. **NOTE:** *The CBI Helpline is an integral component of a Confidential Disclosure Program (CDP) designed to ensure VHA activities are conducted in compliance with public law, established regulations and recognized standards of business practice. Ensuring business integrity is an important way of improving service and patient care to veterans.*

2. BACKGROUND

a. The CBI Helpline was established to control the receipt and disposition of reports or concerns. Calls received by the CBI Helpline vendor are processed utilizing established protocols. **NOTE:** *This Directive governs all calls made to the CBI Helpline, regardless of their origin.*

b. The primary goal of the CBI Helpline is to assure the integrity of business and operational processes within VHA by providing a mechanism for employees to raise questions and report concerns pertaining to the following topical areas:

Enrollment	The Office of Inspector General (OIG) exclusionary list for sanctioned individuals
Insurance identification and verification	Information protection, record retention, managing request for information
Means testing	Provider Documentation
Eligibility	Staff education and training on compliance
Pre-certification and certification/utilization review	Management of the CBI Helpline and database tracking system
Standards pertaining to billing, coding, and documentation	Management of overpayments
Audits, reviews, inquiries, and remediation	Questionable conduct on the part of managers, supervisors or employees
Accounts receivable and payable	Any matter relating to the business integrity of VHA operations

c. To date, approximately 450 health care organizations have entered into a Corporate Integrity Agreement (CIA) with Health and Human Services (HHS) as part of the settlement of Federal health care program investigations. These agreements are negotiated to ensure the integrity of the Federal health care program. CIAs include requirements to:

- (1) Hire a compliance officer or appoint a compliance committee;
- (2) Develop written standards and policies;
- (3) Implement a comprehensive employee training program;

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- (4) Audit billing, coding and documentation processes within the organization;
- (5) Provide a mechanism for employees to raise questions and report concerns;
- (6) Restrict employment of ineligible persons; and
- (7) Monitor the effectiveness of the compliance program.

d. The Department of Veterans Affairs' (VA) Under Secretary for Health established the institution of a Corporate Compliance Program on August 9, 1999. A vital component of the program, and one that ensures the VA is operating consistently with its private sector counterparts, is the establishment of a confidential disclosure system. This is a proactive system directly supporting the VA core values of Trust, Commitment, and Excellence.

e. Although VA currently utilizes an Office of Inspector General (OIG) Hotline as well as Medical Inspector Hotline, the Compliance and Business Integrity (CBI) Helpline serves a different role. By design, the CBI Helpline and its supporting system, the Compliance Inquiry Reporting and Tracking System (CIRTS), serve as resources for employees and provides an inter-divisional conduit to improve service provided to veterans and other internal and/or external customers.

f. Proper documentation is an important component of the patient care and service provided to all veterans. Compliance with established standards is essential to the success of a health care program. Health care compliance and business integrity is a dynamic component of the industry, and systems must be in place to ensure VA is able to keep pace with changing rules, regulations and standards. As a public sector provider of health care, VA is subject to many of the same reviews as our private sector partners.

g. VHA's Office of Compliance staff convened a multi-disciplinary, cross-functional group of subject matter experts. This select group met to define CBI Helpline requirements (both functional and technical). They established parameters under which the CBI Helpline functions; such as identifying instances of CBI Helpline calls which might cross over to activities already being addressed by other VA entities, i.e., Office of the Inspector General or Medical Inspector. Based on this group's efforts, a Request for Proposal was submitted to identify an experienced contractor who would develop, deploy and maintain the VHA CBI Helpline. The contract award was made October 14, 2000.

h. Caregivers, coders and billers may not always appropriately document their respective activities. In those instances where improper documentation is identified and verified, appropriate remediation is possible. Such identification may be cited by internal or external sources utilizing the structured protocol established for the CBI Helpline. The overarching benefit of instituting this service is the improvement of quality service to VHA's veteran patients.

i. The Helpline vendor refers calls to an existing VHA Compliance Central Response Unit (CRU) based on specific indications for referral to that office. **NOTE:** *Industry standards for annual hotline call volumes average 2 to 4 percent of an organization's employee population. It*

is anticipated Helpline call volume will be consistent with the industry. These calls are more appropriately resolved through existing procedures or programs within the organization and will be referred to the appropriate program office. The VHA Compliance CRU, under the direction of the Associate Chief financial Officer (CFO) for Compliance, will serve as the primary receiver of CBI Helpline call reports and is responsible for maintaining the system to track and monitor responsiveness to the reports (see VHA Compliance and Business Integrity (CBI) Helpline Call Referral Protocol for more details).

j. Specific examples of issues that would be responded to by the VHA Compliance Office include:

- (1) Concern that medical record documentation may not support the evaluation and management code assigned to the claim for reimbursement.
- (2) Questions pertaining to verification and validation of appropriate rules for coding a medical encounter.
- (3) Concern that evaluation and management codes may be higher or lower than warranted.
- (4) Proper billing for a physician extender (e.g., nurse practitioners and physician assistants or pharmacist) who is not a physician.
- (5) Whether services provided by a physician resident, or other trainee, are supported by attending physician documentation.
- (6) Whether telephone conversations, clinic cancellations or clinic no-shows are billed as outpatient encounters.
- (7) Questions or concerns about relevant rules, regulations or standards relating to billing, coding and documentation.
- (8) Questions or concerns relating to any matter affecting the integrity of VHA business operations.

3. POLICY: It is VHA policy to establish a procedure for initiating and managing calls made in conjunction with the Confidential Disclosure Program. The CBI Helpline, as a component of the CDP, affords a process for making anonymous, confidential communications regarding identified issues or questions with VHA compliance policies, practices, and procedures without fear of retribution or retaliation. **NOTE:** *Descriptions of the established reporting mechanism used to disseminate the existence of the CDP and procedure for verification and subsequent summary actions will be provided.*

4. ACTION

a. The Associate CFO for Compliance is responsible for the operation of the CBI Helpline, overseeing its management and ensuring that the vendor is responsive to the Compliance Program's needs.

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b. CRU staff are responsible for processing all calls directed to the CRU by the CBI Helpline vendor. The VHA CFO retains the authority to investigate referrals as indicated in the call referral protocol.

c. Process

(1) When employees have an issue or concern, the first course of action is to ask if it complies with laws, regulations and relevant VHA policies. If employees are in doubt, they should ask for additional information.

(2) If employees still have questions or concerns, they should discuss the issue with their supervisor.

(3) If employees are not comfortable discussing it with their supervisor, or if their supervisor is part of the issue, they should discuss their concern with a higher-level manager.

(4) If employees are not comfortable with any of the previous steps, they should discuss it with the site Compliance Officer, or call the CBI Helpline.

d. The CBI Helpline Associate. The CBI associate:

(1) Answers all CBI Helpline calls without use of an electronic menu or answering service. These calls are confidential. Moreover, the identity of callers will be protected by following these procedures:

(a) Calls are not tape-recorded.

(b) Callers are asked if they wish to remain anonymous.

(c) Each call is documented as a unique case in the CBI Helpline vendor's tracking system using an assigned code; the caller's name, if provided, is documented in a non-retrievable manner.

(d) Call reports to the CRU continue to utilize the assigned identification code, which will be maintained in the CIRTS.

(e) The caller is provided with the assigned identification code as well as a projected callback date. The caller, using the assigned identification code, can then call the CRU, anonymously if they wish, to make inquiry regarding the status of the report or to provide further information.

(2) Elicits adequate information from the caller to support appropriate call referral and/or follow up. The caller is expected to provide sufficient information to define the nature of the problem. **NOTE:** *The CBI Helpline vendor utilizes the VHA-approved checklist to assimilate required data.*

(3) Evaluates the information provided by the caller and triages disposition of the call using the VHA Compliance and Business Integrity (CBI) Helpline Call Referral Protocol. **NOTE:** *CBI Helpline data is then utilized by the CRU to make a determination of call disposition.*

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(4) Documents the call using the VHA-established profile. **NOTE:** *The associate uses a database and pop-up screen on the computer to capture the caller's information in specified data fields.*

(5) Maintains a tactful, friendly, and helpful approach, and a professional demeanor. Callers are considered customers. Attitudes of callers will vary depending on the nature of their call. This requires the CBI Helpline associate to respond individually to each caller, adjusting the tone of the interview as needed. **NOTE:** *The Compliance Line Associate is not expected to tolerate verbal abuse from callers or waste time with crank callers. In all instances, CBI Helpline associates remain professional.*

e. VHA, Veterans Integrated Service Network (VISN) and Department of Veterans Affairs (VA) medical center Compliance Officers are responsible for cooperating with CRU staff in assuring a timely inquiry and/or fact-finding process for all referred calls and the delivery of associated facility training on Helpline procedures

f. The CRU and Compliance Officers in the field are responsible for timely disposition of cases with complete and accurate documentation so that the CRU can provide the most current information to the caller regarding the open or closed status of the case, if the caller requests such information.

5. REFERENCES

- a. HHS OIG's Compliance Program Guidance for Hospitals.
- b. VHA National Compliance and Business Integrity (CBI) Helpline Call Referral Protocol.
- c. Compliance Line Call Referral Workgroup May 9-10, 2000, Washington, DC.
- d. HHS OIG Compliance Guidance for Establishing Corporate Integrity Agreements.
- e. Corporate Integrity Agreement between HHS-OIG and Vencor, Inc.

6. FOLLOW-UP RESPONSIBILITY: The VHA CFO (17) is responsible for the contents of this directive. Questions may be referred to (202) 273-8866.

7. RESCISSIONS: None. This VHA Directive expires August 31, 2006.

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Under Secretary for Health

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